

AO 91 (Rev. 11/11) Criminal Complaint

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UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

May 22, 2023

Nathan Ochsner, Clerk of Court

United States of America

v.

NDEM ODUU

Case No. **4:23-mj-1083**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 8/25/2022 through 3/25/2023 in the county of Harris in the
SOUTHERN District of TEXAS, the defendant(s) violated:

*Code Section**Offense Description*

18 USC Code § 1344

Bank Fraud

This criminal complaint is based on these facts:

See affidavit

☒ Continued on the attached sheet.

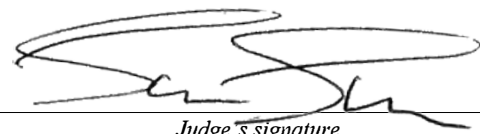
Gregory Padilla / Digitally signed by Gregory Padilla
Date: 2023.05.18 09:52:27 -05'00'

Complainant's signature

SA GREGORY PADILLA, SSA-OIG

Printed name and title

Sworn to and signed by telephone.

Date: May 22, 2023

*Judge's signature*City and state: Houston, TX

SAM S. SHELDON, U.S. Magistrate Judge

Printed name and title

Sealed

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In the matter of

NDEM ODUU

§ **AFFIDAVIT FOR
CRIMINAL COMPLAINT**

§
§
§ No. **4:23-mj-1083**

I, Gregory Padilla, being duly sworn deposes and states the following:

I am a Special Agent with the Social Security Administration Office of Inspector the General (SSA-OIG) and have reason to believe NDEM ODUU is in violation of Title 18, United States Code, Section, 1344-Bank Fraud and Title 18, United States Code, Section 1028-Fraud in Connection with Identity Documents.

The facts that support a finding of Probable Cause to arrest NDEM ODUU are as follows:

1. Affiant is a Special Agent with the SSA-OIG and has been a law enforcement officer for the past 1 year involved in felony criminal investigations. In the course of Affiant's official duties, Affiant has participated in several criminal investigations.
2. The information in the following paragraphs, furnished in support of this affidavit, comes from the personal investigation of Affiant, and from other officials and related to Affiant in person or through Affiant's review of their investigative reports.
3. On August 25, 2022, Texas Department of Public Safety (DPS), conducted a State of Texas level search warrant, led by Special Agent (SA) Leah Dalton, on the residence of KENNETH PETERS in relation to a separate identity theft investigation.
4. In a voluntary interview of KENNETH PETERS on the same day, he informed SA Dalton that NDEM ODUU taught him how to make counterfeit checks. KENNETH PETERS said he then began to make checks for NDEM ODUU. KENNETH PERTERS also said that NDEM ODUU uses, maintains, and manufactures fraudulent identity documents, with the subject premises as his base of operations, using up to six (6) different computers. SA Dalton then initiated an investigation into NDEM ODUU's scheme.
5. On or about November 29, 2022, as a result of a subpoena, two checks in the name of Victim 1 were discovered that were deposited into NDEM ODUU's business checking account # ending in 8192 located at Navy Federal Credit Union (NFCU), a National Credit Union Administration (NCUA) insured financial institution, for his fictitious business named ODUUGROUP INC.

6. On June 6, 2022, check #9857, dated June 1, 2022, from JP Morgan Chase Bank, N.A. (Chase), a Federal Deposit Insurance Incorporation (FDIC) insured financial institution, account #ending in 1769, in the name of Victim 1 was deposited into ODUUGROUP INC's business checking account by NDEM ODUU. The check was paid to the order of KENNETH PETERS, for the amount of \$1,874.00, and endorsed "pay to the order of ODUUGROUP."

7. On June 8, 2022, check #9858, dated June 7, 2022, from Chase account #ending in 1769, in the name of Victim 1 was deposited in to ODUUGROUP INC's business checking account by NDEM ODUU. The check was paid to the order of KENNETH PETERS, for the amount of \$1,867.00, and endorsed "pay to the order of ODUUGROUP."

8. On or about November 30, 2022, SA Dalton, showed KENNETH PETERS copies of the two checks obtained via subpoenaed bank records. KENNETH PETERS confirmed to SA Dalton that he created these checks for NDEM ODUU and that they are counterfeit. He was not aware that the checks were made out in his name. Subpoenaed bank records from Victim 1's Chase account #ending in 1769 showed that the only monthly income for Victim 1 was from Social Security Benefits.

9. Your Affiant conducted a review of NDEM ODUU's personal and business accounts, signature cards and contact information provided by NFCU. All accounts at NFCU are in the name of NDEM ODUU, the addresses listed on all accounts is ODUU's home address, the Social Security Number (SSN) and date of birth are a match to NDEM ODUU, and all of the expenditures from the accounts are local to where NDEM ODUU lives.

10. State of Texas Driver's License Records obtained by SA Dalton showed that Victim 1 is deceased. On or about April 19, 2023, your Affiant obtained an official copy of Victim 1's death certificate from the State of Texas Vital Statistics as a result of an Inspector General subpoena. The death certificate confirmed that Victim 1 died on November 13, 2014

11. On or about August 31, 2022, SA Dalton surveilled ODUU's home address. Parked directly outside his apartment was a 2021 Black Volkswagen Jetta (Jetta), VIN #3VWC57BU6MM026383, license plate #PRL8349. Law enforcement databases used by SA Dalton, confirmed the Jetta was registered to NDEM ODUU. On May 11, 2023, your affiant surveilled ODUU's home and saw the same Jetta parked outside. The license plate had been changed from license plate #PRL8349 to license plate #ODUU. On May 18, 2023, your Affiant ran the new license plate number through law enforcement databases and confirmed that this is the same Jetta registered to NDEM ODUU. Law enforcement databases indicate that the Jetta is the only vehicle registered to NDEM ODUU.

12. Also, on or about August 31, 2022, KENNETH PETERS told SA Dalton that as part of NDEM ODUU's schemes, he would have mail of his victims sent to KENNETH PETERS house and the vacant house next door. According to KENNETH PETERS, NDEM ODUU would drive to KENNETH PETERS' house in the Jetta to pick up the mail from both properties.

13. On December 4, 2022, KENNETH PETERS told SA Dalton that he had a meeting at 1:00pm that day with NDEM ODUU at ODUU's apartment. NDEM ODUU sent KENNETH PETERS a picture of a computer screen with a fake State of Texas driver's license #0920198977088, in the name of BERNARD MILLS, who KENNETH PETERS said was an accomplice of NDEM ODUU, date of birth 09/20/1989. KENNETH PETERS shared screen shots of their message exchange with SA Dalton via text message. During the 1:00pm meeting NDEM ODUU asked KENNETH PETERS what items should be bought with the fake driver's license he is making. KENNETH PETERS suggested that Apple products should be bought. NDEM ODUU told KENNETH PETERS to come back the next day and the fraudulent driver's licenses would be ready.

14. On December 5, 2022, NDEM ODUU informed KENNETH PETERS that he had two driver's licenses and Social Security cards in the name of BERNARD MILLS and was waiting on the arrival of two matching credit cards to use to purchase Apple products. KENNETH PETERS stayed at ODUU's apartment for approximately forty(40) minutes. In this time NDEM ODUU showed KENNETH PETERS how to make and print fake driver's licenses and identification cards on one of NDEM ODUU's computers located in his bedroom at ODUU's apartment.

15. On or about December 5, 2022, KENNETH PETERS told SA Dalton that all of NDEM ODUU's computers are in his bedroom and that he uses the biggest one to manufacture the identity documents. According to KENNETH PETERS, the smaller laptop(s) are used to access the "Dark Web" to purchase equipment and identities for NDEM ODUU's scheme. KENNETH PETERS also said that NDEM ODUU keeps other evidence of his schemes in the attic located in the spare bedroom of ODUU's apartment.

16. On March 22, 2023, as part of an undercover operation, SA Dalton contacted KENNETH PETERS to have him purchase a fake driver's license from NDEM ODUU. SA Dalton provided KENNETH PETERS with a photo of a black male, with the name Lawrence Johnson, and the date of birth 08/08/1975, via text message. KENNETH PETERS contacted NDEM ODUU via text message saying he needed a fake driver's license. NDEM ODUU responded saying the price was \$200.

17. On March 25, 2023, KENNETH PETERS contacted SA Dalton informing her the driver's license was ready. SA Dalton met with KENNETH PETERS and provided him with \$200 in cash from DPS funds. KENNETH PETERS then drove to ODUU's apartment. SA Dalton surveilled KENNETH PETERS enter the apartment where he spent approximately 25 minutes inside and retrieved the driver's license. SA Dalton then surveilled KENNETH PETERS drive to a predesignated location where KENNETH PETERS handed the driver's license to SA Dalton where she took the license into her possession. The driver's license is described as a Louisiana driver's license, #005733274, in the name of Lawrence Johnson, date of birth 08/08/1975. NDEM ODUU manufactured this fraudulent identity document at his residence.

18. On April 3, 2023, SA Dalton surveilled NDEM ODUU drive to his prior residence, an apartment, located at 12424 Steepleway Blvd, Houston, Texas, in his Jetta. NDEM ODUU has

been known to have mail for his victims sent to other addresses. According to KENNETH PETERS, he has seen NDEM ODUU pick up mail from multiple addresses, including KENNETH PETERS' personal address and take the mail in his Jetta. SA Dalton observed NDEM ODUU drive to the mailboxes of his prior apartment complex, where he appeared to be accessing the multiple mail boxes at the apartment complex for approximately ten(10) minutes. As a result, it is believed that additional evidence of NDEM ODUU's crimes are located in his Jetta.

19. The investigation revealed that on June 6 and 8, 2022, NDEM ODUU knowingly and willfully accessed the bank account of Victim 1, who is deceased in violation of Title 18, United States Code, Section, 1344, when he commissioned KENNETH PETERS to fraudulently create two separate checks in the name of Victim 1 and then deposited the funds into his business NFCU account for his own personal use.

20. Additionally, on December 4 through 5, 2022, March 22 through 25, 2023, and continuing, NDEM ODUU fraudulently manufactured fake identity documents and collected a fee for personal gain, in violation of Title 18, United States Code, Section 1028.

21. Your Affiant believes there is sufficient probable cause to arrest NDEM ODUU for the violations described above. Accordingly, I respectfully request that this court issue a warrant for NDEM ODUU's arrest.

I, Gregory Padilla, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

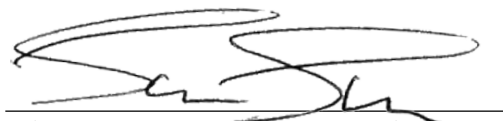
Gregory Padilla Digitally signed by Gregory Padilla
Date: 2023.05.22 10:44:19 -05'00'

Gregory Padilla, Special Agent
Social Security Administration
Office of Inspector General
Office of Investigations

Sworn to and subscribed by telephone and I find probable cause.

May 22, 2023 at Houston Texas
Date and Time Issued City and State

UNITED STATES MAGISTRATE JUDGE
Name and Title of Judicial Officer


Signature of Hon. Sam S. Sheldon